

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

**DO NOT WRITE IN THIS SPACE**

Case  
**13-CA-112046**

Date Filed  
**8/26/2013**

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1 EMPLOYER AGAINST WHOM CHARGE IS BROUGHT**

a. Name of Employer <b>Wright Management, Inc. d/b/a Rock-N-Roll McDonald's</b>		b. Tel. No.
d. Address (Street, city, state, and ZIP code) <b>600 N. Clark Street Chicago, IL 60610</b>		c. Cell No.
e. Employer Representative		f. Fax No.
		g. e-Mail
i. Type of Establishment (factory, mine, wholesaler, etc.) <b>Restaurant</b>		h. Number of workers employed <b>200</b>
j. Identify principal product or service <b>Fast food</b>		

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act

**2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

Within the last six months, the above-named employer has issued a disciplinary write-up against employee (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) having engaged in protected, concerted activities and in an effort to discourage (b) (6), (b) (7)(C) and other employees from engaging in such activities; and has threatened (b) (6), (b) (7)(C) with a suspension if (b) (6), (b) (7)(C) engages in further protected, concerted activities.

**3 Full name of party filing charge (if labor organization, give full name, including local name and number)**

**Workers Organizing Committee of Chicago**

4a. Address (Street and number, city, state, and ZIP code) <b>123 West Madison Street Suite 800 Chicago, IL 60602</b>		4b. Tel. No. <b>(b) (6), (b) (7)(C)</b>
		4c. Cell No.
		4d. Fax No. <b>312-243-4731</b>
		4e. e-Mail

**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**

**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By   
(signature of representative or person making charge)

**Barry M. Bennett, Lawyer**  
(Print/type name and title or office, if any)

Tel No **312-372-1361**

Office, if any, Cell No.

Fax No **312-372-6599**

e-Mail  
**bbennett@dbb-law.com**

Address **8 South Michigan Avenue, 19th Floor, Chicago, IL 60603**

**8/26/13**  
(date)

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341

August 27, 2013

Workers Organizing Committee of Chicago  
123 W Madison St. Ste 800  
Chicago, IL 60602-4621

Re: Wright Management, Inc. d/b/a Rock-N-  
Roll McDonald's  
Case 13-CA-112046

Dear Sir or Madam:

The charge that you filed in this case on August 26, 2013 has been docketed as case number 13-CA-112046. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Examiner JANA C. PROKOP whose telephone number is (312)353-8613 and whose e-mail address is [jana.prokop@nlrb.gov](mailto:jana.prokop@nlrb.gov). If the Board agent is not available, you may contact Deputy Regional Attorney RICHARD KELLIHER-PAZ whose telephone number is (312)353-7629.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website [www.nlr.gov](http://www.nlr.gov) or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to be "P. Sung", written over a horizontal line.

PETER SUNG OHR  
Regional Director

bz

Enclosures:

cc: Barry M. Bennett, Attorney at Law  
Dowd, Bloch & Bennett  
8 S Michigan Ave. Fl 19  
Chicago, IL 60603-3357



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website:  
[www.nlr.gov](http://www.nlr.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341

August 27, 2013

Wright Management, Inc. d/b/a Rock-N-Roll McDonald's  
600 N. Clark Street  
Chicago, IL 60610

Re: Wright Management, Inc. d/b/a Rock-N-Roll  
McDonald's  
Case 13-CA-112046

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Examiner JANA C. PROKOP whose telephone number is (312)353-8613 and whose e-mail address is [jana.prokop@nlrb.gov](mailto:jana.prokop@nlrb.gov). If this Board agent is not available, you may contact Deputy Regional Attorney RICHARD KELLIHER-PAZ whose telephone number is (312)353-7629.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by September 9, 2013. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to be "P. Sung", with a long horizontal flourish extending to the right.

PETER SUNG OHR  
Regional Director

bz

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

**CASE NAME**

Wright Management, Inc. d/b/a Rock-N-Roll McDonald's

**CASE NUMBER**

13-CA-112046

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$

YES

NO

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**WRIGHT MANAGEMENT, INC. D/B/A ROCK-  
N-ROLL MCDONALD'S**

Charged Party

and

**WORKERS ORGANIZING COMMITTEE OF  
CHICAGO**

Charging Party

**Case 13-CA-112046**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on August 27, 2013, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Wright Management, Inc. d/b/a Rock-N-Roll  
McDonald's  
600 N. Clark Street  
Chicago, IL 60610

August 27, 2013

\_\_\_\_\_  
Date

Brendan Zarling, Designated Agent of  
NLRB

\_\_\_\_\_  
Name

*Brendan Zarling*

\_\_\_\_\_  
Signature

**From:** [Prokop, Jana C.](#)  
**To:** ["Busey, Christopher M"](#)  
**Subject:** new McDonald"s charge  
**Date:** Tuesday, August 27, 2013 3:53:55 PM  
**Attachments:** [DCK.13-CA-112046.pdf](#)  
[CHG.13-CA-112046.INTCHG.pdf](#)

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Hi Chris –

I got an e-mail today from my supervisor that I am assigned the charge. I'm e-mailing it to you now. Just like with the other one, you don't have to respond until I get evidence first. Once I get Charging Party's evidence, I'll send you a request for information.

I'm off work today, but I'll call you in a few minutes.

Thanks!

-Jana



**From:** [Prokop, Jana C.](#)  
**To:** ["Barry Bennett"](#)  
**Subject:** 13-CA-107668 (Rock N Roll McD"s)  
**Date:** Thursday, August 29, 2013 4:14:00 PM

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Hi Barry –

I left you a voice mail. I can inform you the Region did not find merit to the 2<sup>nd</sup> allegation (insufficient evidence to rise to a violation) regarding the ER falsely accusing ee (b) (6), (b) (7)(C) of having threatened (b) (6), (b) (7)(C). So, either you could amended just that one out of the charge, you could withdraw it, or we could issue a partial dismissal letter on that one.

It would be the same for the other charges. If you could get a decision from your client today on the amended charges, that would be ideal. Amended charges are the easiest for me, as I don't have to put any memos through, but if you'd rather have us issue a partial withdrawal or even have us dismiss certain allegations, it won't take very long to do a memo. Just keep me posted.

Do you know (b) (6), (b) (7)(C) schedule yet? Is (b) (6), (b) (7)(C) the same witness for both new charges? Thanks.

-Jana

**From:** [Barry Bennett](#)  
**To:** [Prokop, Jana C.](#)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** Re: RnR McD  
**Date:** Thursday, September 12, 2013 12:26:49 PM

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You are the absolute BEST, Ms. Prokop.

I saw (b) (6), (b) (7)(C) last night and (b) (6), (b) (7)(C) is set to go. By copy of this note, I am letting (b) (6), (b) (7)(C) know this is set, and I ask (b) (6), (b) (7)(C) to be sure (b) (6), (b) (7)(C) and whoever will accompany (b) (6), (b) (7)(C) are at the Board's office (209 S. LaSalle, Suite 900) at 10 a.m.

Thanks.

Barry

On Thu, Sep 12, 2013 at 11:18 AM, Prokop, Jana C. <[Jana.Prokop@nlrb.gov](mailto:Jana.Prokop@nlrb.gov)> wrote:

Ok we're set for Tuesday at 10am for (b) (6), (b) (7)(C). I was able to switch my appointment to Friday. (b) (6), (b) (7)(C) is out, so we have another (b) (6), (b) (7)(C) who will be assisting on Tuesday. Please confirm whether (b) (6), (b) (7)(C) is still available. Thanks!

-Jana

---

**From:** Barry Bennett [mailto:[bbennett@dbb-law.com](mailto:bbennett@dbb-law.com)]  
**Sent:** Wednesday, September 11, 2013 10:15 AM  
**To:** Prokop, Jana C.  
**Subject:** Re: RnR McD

If that's something you can do and it's not too much of an inconvenience, we'd be delighted.

Thanks.

On Wed, Sep 11, 2013 at 10:09 AM, Prokop, Jana C. <[Jana.Prokop@nlrb.gov](mailto:Jana.Prokop@nlrb.gov)> wrote:

Barry –

If you want, I can try to see if my appointment can be switched from Tuesday to another day next

week. I have no idea if there is availability, but do you want me to still check? The office is closed today, so I wouldn't know until tomorrow if I can get my appointment switched. If that is the witness's only day, I'd really like to be able to get (b) (6), (b) (7)(C) statement seeing as (b) (6), (b) (7)(C) doesn't have a lot of availability.

-Jana

---

**From:** Barry Bennett [mailto:[bbennett@dbb-law.com](mailto:bbennett@dbb-law.com)]  
**Sent:** Wednesday, September 11, 2013 9:30 AM  
**To:** Prokop, Jana C.  
**Subject:** Fwd: RnR McD

----- Forwarded message -----

From: **Barry Bennett** <[bbennett@dbb-law.com](mailto:bbennett@dbb-law.com)>  
Date: Wed, Sep 11, 2013 at 5:52 AM  
Subject: Re: RnR McD  
To: "Prokop, Jana C." <[Jana.Prokop@nlrb.gov](mailto:Jana.Prokop@nlrb.gov)>

I'm almost positive that's (b) (6), (b) (7)(C), but I sent a note to check on that and also to check on this week.

I'll get back to you when I know something.

Barry

Sent from my iPhone

On Sep 10, 2013, at 9:35 PM, "Prokop, Jana C." <[Jana.Prokop@nlrb.gov](mailto:Jana.Prokop@nlrb.gov)> wrote:

I am off work that day as I have a prior engagement. Is (b) (6), (b) (7)(C) available this week?

---

**From:** Barry Bennett [mailto:[bbennett@dbb-law.com](mailto:bbennett@dbb-law.com)]  
**Sent:** Tuesday, September 10, 2013 6:54 PM  
**To:** Prokop, Jana C.  
**Subject:** RnR McD

Hi Jana,

You and [REDACTED] available next Tuesday, 10-2, to meet [REDACTED]

Thanks.

Barry

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify Dowd, Bloch & Bennett ([office@dbb-law.com](mailto:office@dbb-law.com)). Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Dowd, Bloch & Bennett. Finally, the recipient should check this email and any attachments for the presence of viruses. Dowd, Bloch & Bennett accepts no liability for any damage caused by any virus transmitted by this email.

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**From:** [Barry Bennett](#)  
**To:** [Prokop, Jana C.](#)  
**Cc:** (b) (6), (b) (7)(C) [George Luscombe](#)  
**Subject:** Re: (b) (6), (b) (7)(C)  
**Date:** Tuesday, September 17, 2013 11:28:59 AM

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Jana,

I don't know the circumstances at our end, but I know you re-scheduled a personal matter and did other things to make yourself available, and I'm very sorry we put you to this trouble needlessly. I appreciate your understanding.

I'll send a withdrawal request to you, and either (b) (6), (b) (7)(C) or I will follow up about re-scheduling.

Thanks, and apologies again.

Barry

On Tue, Sep 17, 2013 at 8:50 AM, Prokop, Jana C. <[Jana.Prokop@nlrb.gov](mailto:Jana.Prokop@nlrb.gov)> wrote:

Hi all -

I'm sorry to hear about the emergency at school. I can definitely understand that (b) (6), (b) (7)(C) has priorities and I hope everything works out in a good way!

I am available next Tuesday September 24, but (b) (6), (b) (7)(C) in the morning. I'm normally done with that by about 830 or 845am. Today, I had (b) (6), (b) (7)(C) do it because I knew I had to be here early, but (b) (6) won't be able to next week because (b) (6), (b) (7)(C) be out of town that day. In any event, the next train that I could take after (b) (6), (b) (7)(C) won't get me to the office until about 1015am. Would 1015 work?

While we can go ahead and schedule the affidavit, management here will want me to ask that the Union withdraw the 2 Rock N Roll charges at this point as it has taken more than 2 weeks to get Charging Party's evidence. (It's been a day over 3 weeks for the first one and a day under 3 weeks for the second one.) We originally let these 2 go past the 2 weeks as (b) (6), (b) (7)(C) has been scheduled for a while. As far as refiling, the charges could be refiled the day (b) (6), (b) (7)(C) is able to give (b) (6), (b) (7)(C) statement.

Let me know what you think. Thanks!

-Jana

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, September 17, 2013 8:16 AM  
**To:** Barry Bennett  
**Cc:** Prokop, Jana C.; George Luscombe  
**Subject:** Re: (b) (6), (b) (7)(C)

Hey everyone,

Unfortunately (b) (6), (b) (7)(C) won't be able to make it today. ./

(b) (6), (b) (7)(C) available next Tuesday in the morning, if we could reschedule for 9am next week? Not sure if that works.

Thanks,

(b) (6), (b) (7)(C)

Sent from my iPhone

On sep 16, 2013, at 10:31 p.m., Barry Bennett <[bbennett@dbb-law.com](mailto:bbennett@dbb-law.com)> wrote:

Great everyone. Thanks. Keep me posted.

If I'm not in when you're finishing up, George is standing by and will come over for affidavit review.

Sent from my iPhone

On Sep 16, 2013, at 10:12 PM, (b) (6), (b) (7)(C) wrote:

awesome. i'm picking up (b) (6), (b) (7)(C) a little before 8, so we should be there by 8:30am.

see you tomorrow!

(b) (6), (b) (7)(C)  
[REDACTED]

On Mon, Sep 16, 2013 at 9:53 PM, Prokop, Jana C.  
<[Jana.Prokop@nlrb.gov](mailto:Jana.Prokop@nlrb.gov)> wrote:

Hi Barry and (b) (6), (b) (7)(C) —

I just got a voice mail that my 8am affidavit in another case cancelled, so I am free. However, (b) (6), (b) (7)(C), Maria, probably won't be in as early as 8am. She may be in by then, but should be there by 830am. I don't know for sure whether she has an appointment with someone else earlier, but if I had to guess, I'd bet she'd be free because she knows about our appointment at 10am. So, I'd say get there whenever you can and we'll try to find her. If she's not there yet, we'll get some forms filled out and get background info. Really, whatever is the best time for you will be fine with me. I will arrive around 8am (or within about 5 minutes). Call me on my office phone if no one is at the front desk. [312-353-8613](tel:312-353-8613)

-Jana

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**From:** Barry Bennett [mailto:[bbennett@dbb-law.com](mailto:bbennett@dbb-law.com)]  
**Sent:** Monday, September 16, 2013 6:03 PM  
**To:** Prokop, Jana C.  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** [REDACTED]

Jana,

Late notice but any chance of an earlier start tomorrow? (b) (6), (b) (7)(C)  
[REDACTED] is the (b) (6), (b) (7)(C) and is copied here. (b) (6), (b) (7)(C) thinks [REDACTED] could  
get [REDACTED] there as early as 8. Please Reply All, and feel free to  
communicate directly with (b) (6), (b) (7)(C) [REDACTED]

Thanks.

Barry

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# Field Examiner J. Prokop's Contact Log

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**Case Number** 13-CA-112046

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**Current Date**                      **Time**                      **Who/what?**

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Monday, August 26, 2013      11:55 AM      TC from Barry Bennett

Called to say (b) (5), (b) (6), (b) (7)(C)

(this is the instant charge)

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Tuesday, August 27, 2013      2:41 PM      VM from Chris Busey  
calling re new charge 112046, wants copy

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Tuesday, August 27, 2013      3:00 PM      TC to Chris  
told him I will e-mail him new charge.

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Wednesday, September 04, 2013      9:00 AM      TC to Barry  
Will call (b) (5), (b) (6), (b) (7)(C)

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Tuesday, September 17, 2013      4:25 PM      VM from Barry

(b) (5)

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Wednesday, September 18, 2013      9:02 AM      TC to Barry

he withdraws the 2 McDonald's charges and (b) (6) (b) (7)(C).

## ORAL WITHDRAWAL REQUEST FORM

\_\_\_no\_\_\_Adjusted

RE: Wright Management Inc. d/b/a Rock N Roll McDonald's  
13-CA-112046

On September 18, 2013, in a telephone conversation, Barry Bennett, counsel for the Charging Party, informed the undersigned Board Agent that the Charging Party desires to withdraw the allegations contained in the above-named charge, and authorized withdrawal on an oral basis.

*/s/ J. Prokop*  
(Signature of Board Agent)

Withdrawal Request Approved:  
*/s/ Peter Ohr by RKP 9/27/2013*

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# Internal Case Memo

**To:** DRA Kelliher-Paz  
**From:** FX J. Prokop  
**Date:** 9/26/2013  
**Re:** Wright Management Inc. d/b/a Rock N Roll McDonald's 13-CA-112046

## For approval of oral withdrawal request

**Allegation:** Within the last six months, the above-named employer has issued a disciplinary write-up against employee (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) having engaged in protected, concerted activities and in an effort to discourage (b) (6), (b) (7)(C) and other employees from engaging in such activities; and has threatened (b) (6), (b) (7)(C) with a suspension if (b) (6), (b) (7)(C) engages in further protected, concerted activities.

The instant charge was filed on August 26, 2013. (b) (5)

(b) (6), (b) (7)(C), (b) (5)

**Withdrawal request:** On September 18, Charging Party informed the undersigned that the Union hereby withdraws the charge (b) (5)

**Recommendation:** (b) (5)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 13  
209 S La Salle St Ste 900  
Chicago, IL 60604-1443

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (312)353-7570  
Fax: (312)886-1341

September 30, 2013

Wright Management, Inc. d/b/a  
Rock-N-Roll McDonald's  
600 N. Clark Street  
Chicago, IL 60610

Re: Wright Management, Inc. d/b/a Rock-N-  
Roll McDonald's  
Case 13-CA-112046

Dear Sir or Madam:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr  
Regional Director

cc: Barry M. Bennett, Attorney at Law  
Dowd, Bloch & Bennett  
8 S Michigan Ave Fl 19  
Chicago, IL 60603-3357

Workers Organizing Committee of Chicago  
123 W Madison St Ste 800  
Chicago, IL 60602-4621

Jp/rd